

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.:

DEX-0109

Inventors:

Macina et al.

Serial No.:

09/700,769

Filing Date:

January 4, 2001

Examiner:

Alana M. Harris

Group Art Unit:

1642

Title:

A Novel Method of Diagnosing,

Monitoring, and Staging Colon Cancer

"Express Mail" Label No. EL976562990US Date of Deposit December 11, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents Post Office Box 1450, Alexandria, VA 22313-1450

By // Athill / / / / / / // // // Typed Name: Kathleen A. Typed, Reg. No. 38,350

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three
months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- () In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
 - () Certification in Accordance with §1.97(e) is attached hereto; or
 - () The fee of \$180.00 as set forth in §1.17(p) is attached.
- () In accordance with §1.97(d), this Information Disclosure
 Statement is being filed after the mailing date of either a
 Final Action under §1.113 or a Notice of Allowance under
 §1.311 but before the payment of the Issue Fee, therefore
 included are: Certification in Accordance with §1.97(e);
 Petition Requesting Consideration of the Information
 Disclosure Statement; and the fee of \$130.00 as set forth in
 §1.17(I)(1).
- (XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith.

() In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. ______, filed ______, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

- () The relevance of the listed references in a foreign language is as stated in the specification at pages @@.
- (XX) All listed references are in the English language.

Respectfully submitted,/

Kathleen A. Tyrrell / Registration No. 38,350

Date: December 11, 2003

Licata & Tyrrell P.C. 66 E. Main Street Marlton, New Jersey 08053

(856) 810-1515

OLD A THACK HISTORY

Sheet 01 of 02

Form PTO-1449 Modified

List of Patents and Publications
Cited by Applicant
(Use several sheets if necessary)

U.S. Department of Commerce

| | Serial No. 09/700,769 |
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| 2211 0207 | 037.007.03 |

Applicant
Macina et al.

Filing Date Group
January 4, 2001 1642

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| OTHER DOCU | MENI | TS (Including Author, Title, Date, Pertinent Pages, 1 | Etc.) |
| | BA | Bánfi et al., "A Mammalian H ⁺ Channel Generated Thro Alternative Splicing of the NADPH Oxidase Homolog N 1", Science 2000 287:138-142 | |
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| EXAMINER | | DATE CONSIDERED | |



EXAMINER

Sheet 02 of 02 Serial No. Docket No. Form PTO-1449 Modified DEX-0109 09/700,769 List of Patents and Publications Applicant Cited by Applicant Macina et al. (Use several sheets if necessary) Filing Date Group U.S. Department of Commerce January 4, 2001 1642 U. S. PATENT DOCUMENTS Date Examiner Document Name Class Subclass Initial No. CA 5,985,270 11-16-99 Srivastava 424 93.71 CB 4,690,914 9-1-87 Callut et al. 502 400 Raychaudhuri et al. CC. 5,585,103 12-17-96 424 278.1 FOREIGN PATENT DOCUMENTS Document No. Translation Examiner Date Country YES NO Initial CD WO 00/07632 17-2-00 PCT x

DATE CONSIDERED